

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WALTER J. RUIZ and MILLICENT Z. RUIZ,)

Plaintiffs,)

v.)

CITY OF MESQUITE, *et. al.*,)

Defendants.)

2:09-cv-00211-JCM-LRL

O R D E R

Before the court is plaintiff's Motion to Consolidate Cases (#39). Specifically, plaintiffs ask the court to consolidate the instant action into *Ruiz, et al. v. Southern Area Interdiction Narcotics Team, et. al.*, 2:10-cv-00077-GMN-RJJ. Plaintiff mailed the instant motion to counsel for defendants in both actions. *See* Certificate of Mailing (#41). No opposition to the motion has been filed.

Federal Rule of Civil Procedure 42(a) sets forth the standard for consolidation of multiple proceedings. It provides: "When actions involving a common question of law or fact are pending before the court, it may...order all of the actions consolidated." The court finds that *Ruiz, et al. v. City of Mesquite, et. al.* and *Ruiz, et al. v. Southern Area Interdiction Narcotics Team, et. al.* involve common questions of law and fact. Consolidation is therefore appropriate. The case numbered 2:09-cv-00211-JCM-LRL, whose filing predated the filing of this case, will be the base file for the purpose of all future filings.

IT IS THEREFORE ORDERED that defendants' Motion to Consolidate Actions (#39) is GRANTED. Case No. 2:09-cv-00211-JCM-LRL shall be consolidated with 2:10-cv-00077-GMN-RJJ.

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1 IT IS FURTHER ORDERED that 2:09-cv-00211-JCM-LRL shall be the base file.

2 DATED this 9th day of September, 2010.

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5 **LAWRENCE R. LEAVITT**
6 **UNITED STATES MAGISTRATE JUDGE**
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